

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

Tina L. Roberson,

Plaintiff,

vs.

Michael J. Astrue, Commissioner
of Social Security,

Defendant

Civil Action No. 2:10-2604-RMG

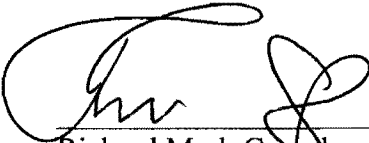
ORDER

Plaintiff filed this action, pursuant to 42 U.S.C. § 405(g), to obtain judicial review of the final decision of the Commissioner of Social Security denying her claim for Disability Insurance Benefits under Title II of the Social Security Act. In accord with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to a United States Magistrate Judge for pretrial handling. The Magistrate Judge recommended that the decision of the Commissioner be reversed because of the failure to adhere to the standards set forth in 20 C.F.R. § 404.1527 for the weighing of the opinions of the claimant's treating physician and remanded to the Commissioner for further proceedings consistent with her recommendation. (Dkt. No. 22 at 5-9). The Commissioner has advised the Court that he does not object to the recommendation of the Magistrate Judge. (Dkt. No. 24).

The Court, having reviewed the Report and Recommendation of the Magistrate Judge, the record in this matter and the applicable legal authorities, hereby adopts the Report and

Recommendation of the Magistrate Judge. The decision of the Commissioner is hereby reversed, pursuant to sentence four of 42 U.S.C. § 405(g), and remanded for further proceedings not inconsistent with the Court's order.

AND IT IS SO ORDERED.



Richard Mark Gergel
United States District Judge

Charleston, South Carolina
December 9, 2011